

## **Tyler, Paul W CIV CNMOC, N01L**

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**From:** Williamson, Elliott CIV NAVOCEANO, 01C  
**Sent:** Wednesday, September 10, 2014 13:13  
**To:** Tyler, Paul W CIV CNMOC, N01L  
**Subject:** Freedom of Information Act Request  
**Signed By:** elliot.williamson@navy.mil

Please provide a copy of report 14-08. I am willing to pay all fees or those up to any amount for production. Thank you for your time.



DEPARTMENT OF THE NAVY  
COMMANDER  
NAVAL METEOROLOGY AND OCEANOGRAPHY COMMAND  
1100 BALCH BOULEVARD  
STENNIS SPACE CENTER MS 39529-5005

5720  
Ser N00/411  
25 September 2014

Mr. Elliott Williamson  
23336 Indian Ridge Road  
Picayune, MS 39466

RE: FREEDOM OF INFORMATION ACT REQUEST - INVESTIGATIVE REPORT  
#14-08

Dear Mr. Williamson:

This is a final response to your September 10, 2014 Freedom of Information Act (FOIA) request for a copy of Investigative Report #14-08. We have reviewed the Investigative Report and determined that some portions of the document are releasable; however, we have also determined that some portions of the report are exempt from mandatory disclosure pursuant to FOIA subsection (b)(6) which protects from disclosure information which would cause a clearly unwarranted invasion of privacy of an individual.

Civilian federal employees who are not involved in law enforcement or sensitive occupations generally have no expectation of privacy regarding their names, titles, grades, salaries, and duty stations as employees. See OPM Regulation, 5 C.F.R. § 293.311 (specifying that certain information containing federal employee personnel files is generally available to the public); see also Nat'l W. Life Ins. v. United States, 512 F. Supp. 454, 461 (N.D. Tex 1980) (discerning no expectation of privacy in names and duty stations of Postal Service employees). However, the identities of employees who provide information to investigators are generally protected. See, e.g., McCann v. HHS, No. 10-1758, 2011 WL 6251090, at \*3 (D.D.C. December 15, 2011) (finding that assertion of Exemption 6 to protect identities of "'individuals who provided information to an investigator who was conducting an investigation into Plaintiff's [Health Insurance Portability and Accountability Act] HIPAA complaint'" was appropriate, and disclosure "'could reasonably be expected to cause potential harassment or misuse of the [witness'] information'"); Am. Small Bus. League, 2011 U.S. Dist. LEXIS 114752, at \*10 (holding that the agency

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properly withheld contracting officer and employee names and contact information in Office of the Inspector General Work papers).

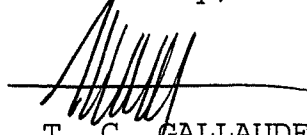
Based upon the foregoing, it has been determined that, while the content of information or statements given to the Inspector General in the course of his investigation by individuals other than yourself are not subject to protection pursuant to FOIA subsection (b)(6), the identity of the individuals providing the information or making statements is protected. Accordingly, the identity of these other individuals has been redacted in the enclosed document.

You may appeal this decision, in writing, to the General Counsel of the Navy, 1000 Navy Pentagon, Washington, DC 20350-1000. Your appeal must be received within sixty (60) days of the date of this letter to be considered. To enable the General Counsel to promptly act on your appeal, please include a copy of your initial FOIA request, a copy of this response letter, and a brief statement regarding why you believe your appeal should be granted.

Pursuant to FOIA regulations, you are considered an "Other" requester which means you are entitled to two hours of search time and 100 pages of duplication at no charge. There are no fees associated with this request.

If you have any questions regarding the foregoing, please contact Mr. Paul Tyler, FOIA Officer, at (228) 688-5867 or e-mail: [paul.tyler@navy.mil](mailto:paul.tyler@navy.mil).

Sincerely,



T. C. GALLAUDET  
Rear Admiral, U.S. Navy  
Commander

Enclosure: 1. Commander, Naval Meteorology and Oceanography  
Command Report of Investigation, Case IG-14-08,  
26 August 2014 (Redacted)